



Senate

General Assembly

File No. 186

January Session, 2007

Substitute Senate Bill No. 1300

Senate, March 29, 2007

The Committee on General Law reported through SEN. COLAPIETRO of the 31st Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING RESIDENTIAL INTERIOR DECORATORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2007*) For purposes of sections 2 to
2 8, inclusive, of this act, "residential interior decorator" means a person
3 who provides decorator services for single family private dwellings.

4 Sec. 2. (NEW) (*Effective July 1, 2007*) No person shall use the title
5 "residential interior decorator" or display or use any words, letters,
6 figures, title, advertisement or other device to indicate that he or she is
7 a registered residential interior decorator, unless he or she has
8 obtained a certificate of registration pursuant to section 5 of this act.

9 Sec. 3. (NEW) (*Effective July 1, 2007*) (a) A person seeking a certificate
10 of registration as a residential interior decorator shall apply to the
11 Commissioner of Consumer Protection, in writing, on a form provided
12 by the commissioner. Such application shall include the applicant's
13 name, residence address, business address and such other information
14 as the commissioner may by regulation require.

15 (b) Each application for a certificate of registration pursuant to
16 subsection (a) of this section shall be accompanied by a fee of one
17 hundred fifty dollars.

18 Sec. 4. (NEW) (*Effective July 1, 2007*) (a) Except as provided in
19 subsection (b) of this section, no person shall be issued a certificate of
20 registration as a residential interior decorator unless such person
21 submits satisfactory proof that such person has passed: (1) The
22 uniform national examination established by the Council for
23 Qualification of Residential Interior Designers, or (2) any other
24 examination with standards or requirements equal to or greater than
25 those established by said council, as determined by the Commissioner
26 of Consumer Protection.

27 (b) The commissioner may issue a certificate of registration as a
28 residential interior decorator, without examination, to any person who
29 is currently registered or licensed in another state having registration
30 or licensing standards or requirements equal to or greater than the
31 standards or requirements established in sections 3 to 5, inclusive, of
32 this act.

33 Sec. 5. (NEW) (*Effective July 1, 2007*) (a) Upon receipt of a completed
34 application, satisfactory proof and fee pursuant to sections 3 and 4 of
35 this act, the Commissioner of Consumer Protection shall: (1) Issue and
36 deliver to the applicant a certificate of registration as a residential
37 interior decorator; or (2) refuse to issue such certificate. The
38 commissioner may suspend, revoke or refuse to issue or renew any
39 such certificate for any of the reasons stated in section 8 of this act.

40 (b) Upon refusal to issue a certificate, the commissioner shall notify
41 the applicant of the denial and of the applicant's right to request a
42 hearing not later than ten days after the date of receipt of the notice of
43 denial.

44 (c) If the applicant requests a hearing within such ten days, the
45 commissioner shall give notice of the grounds for the commissioner's
46 refusal and shall conduct a hearing concerning such refusal in

47 accordance with the provisions of chapter 54 of the general statutes,
48 concerning contested cases.

49 Sec. 6. (NEW) (*Effective July 1, 2007*) A certificate of registration as a
50 residential interior decorator shall be evidence that the person named
51 in the certificate is entitled to the rights and privileges of a registered
52 residential interior decorator while such certificate remains in effect.
53 The Commissioner of Consumer Protection shall keep a roster of the
54 names and addresses of all registered residential interior decorators.
55 Annually during the month of September, the commissioner shall
56 place such roster on file with the Secretary of the State and with the
57 building department and library of each town. The commissioner shall
58 maintain an index and record of each certificate of registration. A
59 certificate shall remain in effect until revoked or suspended as
60 provided in section 8 of this act.

61 Sec. 7. (NEW) (*Effective July 1, 2007*) (a) A registered residential
62 interior decorator shall exhibit his or her certificate of registration upon
63 request by any interested party.

64 (b) No person shall: (1) Present or attempt to present, as his or her
65 own, the certificate of another, (2) knowingly give false evidence of a
66 material nature to the Commissioner of Consumer Protection for the
67 purpose of procuring a certificate, (3) use or attempt to use a certificate
68 which has expired or which has been suspended or revoked, (4)
69 represent himself or herself falsely as, or impersonate, a registered
70 residential interior decorator, or (5) include his or her certificate
71 number as a part of any advertisement or represent in any manner that
72 his or her certificate of registration constitutes an endorsement of the
73 quality of his or her workmanship or of his or her competency by the
74 commissioner.

75 (c) Certificates of registration issued to a residential interior
76 decorator shall not be transferable or assignable.

77 (d) All certificates of registration issued under the provisions of
78 section 5 of this act shall expire annually.

79 (e) The fee for renewal of a certificate of registration as a residential
80 interior decorator shall be one hundred dollars.

81 Sec. 8. (NEW) (*Effective July 1, 2007*) (a) The commissioner may
82 revoke or suspend any certificate of registration as a residential
83 interior decorator for: (1) Conduct of a character likely to mislead,
84 deceive or defraud the public or the commissioner; or (2) gross
85 incompetence.

86 (b) The commissioner shall not revoke or suspend any certificate of
87 registration as a residential interior decorator except upon notice and
88 hearing in accordance with chapter 54 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>July 1, 2007</i>	New section
Sec. 5	<i>July 1, 2007</i>	New section
Sec. 6	<i>July 1, 2007</i>	New section
Sec. 7	<i>July 1, 2007</i>	New section
Sec. 8	<i>July 1, 2007</i>	New section

GL *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Consumer Protection, Dept.	GF - Cost	Potential 123,000	Potential 125,000
Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	Potential 60,000	Potential 62,000
Consumer Protection, Dept.	GF - Revenue Gain	Indeterminate	Indeterminate
Secretary of the State	GF - Cost	Minimal	Minimal

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
All Municipalities	Cost	Minimal	Minimal

Explanation

This bill requires residential interior decorators to register with the Department of Consumer Protection (DCP). There could be a cost related to increased workload for processing registrations and complaints, depending on the extent of residential interior decorators who register with the agency.

Also, there would be a revenue gain to DCP from registrations, which is \$150 for an application of registration and a \$100 annual renewal fee. The number of residential interior decorators anticipated to register with DCP cannot be determined at this time.

The cost of filing a yearly paper document from residential interior decorators within the Secretary of State's Office would be minimal, as well as any paper processing costs imposed to municipal building departments and libraries.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of registrations and complaints received, and subject to inflation.

OLR Bill Analysis**sSB 1300*****AN ACT CONCERNING RESIDENTIAL INTERIOR DECORATORS.*****SUMMARY:**

This bill requires residential interior decorators to register annually with the Department of Consumer Protection (DCP). It defines “residential interior decorator” as a person who provides decorator services for single-family private dwellings. The bill prohibits anyone who is not registered from using the title “residential interior decorator” or displaying any words, letters, or other device to indicate that he or she is one. It requires registrants to display their certificates on request by any interested party. The bill establishes procedures to register, grounds for discipline, and disciplinary procedures.

EFFECTIVE DATE: July 1, 2007

REGISTRATION

The bill requires applicants to apply in writing to DCP. The application must include name, residence and business addresses, and other information DCP requires. The application fee is \$150. Applicants must show that they have passed (1) the uniform nation examination established by the Council for Qualification of Residential Interior Designers or (2) another examination with standards or requirements the consumer protection commissioner deems equivalent or better.

The commissioner may register without examination anyone registered or licensed by another state with standards equal to or greater than Connecticut’s.

The commissioner may issue or deny an application. If the

application is approved, the commissioner must issue a certificate of registration, which is evidence that its holder is entitled to the rights and privileges of a residential interior decorator. If the application is denied, the commissioner must notify the applicant of the denial and of the right to request a hearing within 10 days after receiving the denial notice. If the applicant requests a hearing, the commissioner must inform the applicant of the grounds for the denial and conduct a hearing in accordance with the contested case procedures of the Uniform Administrative Procedure Act (UAPA).

Registrations are annual. The renewal fee is \$100. Registrations are not transferable or assignable.

DCP DUTIES

The bill requires the commissioner to (1) keep a roster of the names and addresses of all registered residential interior decorators and (2) file the roster with the Secretary of the State and each municipality's building department and library each September. Further, the bill requires the commissioner to keep an index and record of each registration.

PROHIBITED CONDUCT

The bill prohibits anyone from:

1. presenting or attempting to present another's registration as one's own;
2. knowingly giving false evidence of a material nature to DCP to obtain a registration;
3. using or attempting to use an expired, suspended, or revoked registration;
4. representing oneself falsely as or impersonating a residential interior decorator; or
5. including a registration number as part of an advertisement or representing that it constitutes an endorsement of the quality of

workmanship by the consumer protection commissioner.

DISCIPLINE

The bill authorizes the commissioner, after notice and hearing in accordance with the UAPA, to suspend, revoke, or refuse to issue or renew a registration for conduct likely to mislead, deceive, or defraud the public or the commissioner or for gross incompetence.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/14/2007)